

SUPPLEMENTAL

COUNCIL AGENDA: 06-21-05

ITEM: 5.4

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Katy Allen
Sara L. Hensley
Robert L. Davis

**SUBJECT: WEST SAN JOSE COMMUNITY
CENTER PROJECT**

DATE: 06-14-05

Approved

Date

6/16/05

Council District: 1
SNI: Blackford

REASON FOR SUPPLEMENTAL MEMO

To provide additional information after bids were opened.

RECOMMENDATION

Approval to reject all bids for the West San José Community Center Project and authorize the Director of Public Works to re-advertise and re-bid the project with revision in project scope. CEQA: Exempt, PP04-03-090.

BACKGROUND

The City's Greenprint for Parks and Community Facilities and Programs, a 20-year strategic plan, provides guidelines regarding the distribution of community-serving facilities in order to address the needs of under served areas within the City. A community center is an element of the long-term strategy to meet the goal for community-serving facilities and program needs at the Stevens Creek/880 West area in Council District 1.

In March 2002, San José voters passed the Neighborhood Security Bond Act that approved the issuance of General Obligation bonds to fund the construction of various public safety facilities. Funding for the construction of regional community policing centers is included in the Bond Act.

In May 2004, Council approved the purchase of property at 3707 Williams Road for the purpose of housing the community center function along with the West CPC. The property, which includes a 9,600 square-foot building, is located on the west side of San José at the corner of

Williams Road and Boynton Avenue, in a neighborhood that is predominantly residential (map attached) and is across Williams Road from Starbird Park.

Council approved the funding for the design of the joint facility in September 2004 and on May 17, 2005, approved the name West San José Community Center for the proposed facility.

The proposed project will renovate the existing building and site to meet the needs of both operations – community center and community policing.

Community Center Portion

The implementation of this community center is in conformance with the Greenprint strategy. The proposed project will improve the existing building to include spaces for dance classes, art classes, a game room, a multipurpose room, and set up for future demonstration cooking. It also includes staff offices for both recreation and SNI staff.

The new community center will compliment the adjacent Starbird Youth Center, which is currently under design and scheduled for completion in late 2006. The ultimate goal is to create a recreation campus at this West San José area consisting of the West Community Joint Facility, Starbird Youth Center and the Starbird Park.

Policing Center Portion

The new facility will provide a more visible police presence in the neighborhood and offer crime prevention activities, police report taking, report writing, and neighborhood problem solving. This project brings the first CPC to the western part of San Jose and is the first CPC that the City has designed specifically to meet the needs of the Department and the neighborhood. This project is also the first collaborative capital project between the Police and Parks, Recreation and Neighborhood Services Departments along with the Strong Neighborhoods Initiative. The Community Policing Centers are open six days per week for 5 hours each day and no additional Police staff is needed to operate the CPC.

ANALYSIS

Bids were opened on June 2, 2005 with the following results:

<u>Contractor</u>	<u>Base Bid Amount</u>	<u>Variance Amount</u>	<u>Over/(Under) Percent</u>
BRCO Constructors (Loomis)	\$2,997,000	\$1,124,000	60
D.L. Falk Construction (Hayward)	2,017,700	146,000	8
Engineer's Estimate	1,868,000	---	---

<u>Contractor</u>	Add Alt <u>No. 1</u>	Deduct Alt <u>No. 2</u>	Add Alt <u>No. 3</u>	Add Alt <u>No. 4</u>	Add Alt <u>No. 5</u>
BRCO Constructors	5,000	(1,000)	6,000	15,000	5,000
D.L. Falk Construction	3,700	(10,000)	5,058	7,622	5,113
Engineer's Estimate	6,613	(6,800)	10,263	8,832	11,238

The bid submitted by the apparent low bidder, D.L. Falk Construction, is nonresponsive because it did not include the signed acknowledgement of the bid addendum. The bid addendum contained the prevailing wage requirements as well as information about the manner in which the project is to be constructed. Accordingly, the addendum is considered material and the requirement to sign and submit the acknowledgement with the bid cannot be waived as a minor irregularity. D.L. Falk Construction attempted to cure the defect in its bid by submitting documents AFTER the City opened the bids. Generally, the City cannot consider documents submitted after the opening of the bids.

The second bid submitted by BRCO Constructors was 60 percent above the Engineer's Estimate and is considered excessively high.

During the bid period and as recently as the morning of the bid opening, staff directly spoke with potential bidders and verified their intent to submit bids. Separately, staff also verified written acknowledgment of delivery of the sole addendum to all planholders. Despite these efforts, only two bids were submitted, the lowest of which did not include the acknowledgment of addendum. Given the low turn out and high bid results, staff recommends rejection of all bids and that the project be rebid in July.

After bids were received, staff contacted several planholders to gain a better understanding of why they did not submit bids. One common explanation given was the number of similarly sized projects for school districts and other agencies that were bidding that same day. By rebidding in July, the number of competing projects bidding should be significantly reduced. Prior to re-bidding the project, staff will also evaluate the construction documents and determine the extent of revisions necessary to the scope of work to reasonably ensure bids within available funds.

The schedule for completion of the project will be adjusted to account for additional time to rebid the project. The current schedule for completion of the project is late November 2005.

OUTCOME

Rejection of these bids and authorization to re-bid will enable the Department of Public Works to re-advertise for bids in July in order to obtain a bid within the project budget and move forward with the project award in late August.

PUBLIC OUTREACH

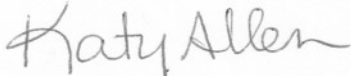
To solicit contractors, this project was listed on the City's Internet Bid Line and advertised in the *San José Post Record*. Bid packages for all Department of Public Works construction projects are provided to various contractor organizations and builder's exchanges.

COORDINATION

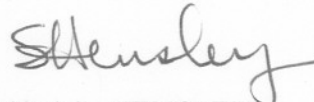
This project and memo have been coordinated with the San José Redevelopment Agency, City Attorney's Office, the City Manager's Budget Office and the Departments of Planning, Building and Code Enforcement and General Services.

CEQA

Exempt, PP04-03-090.



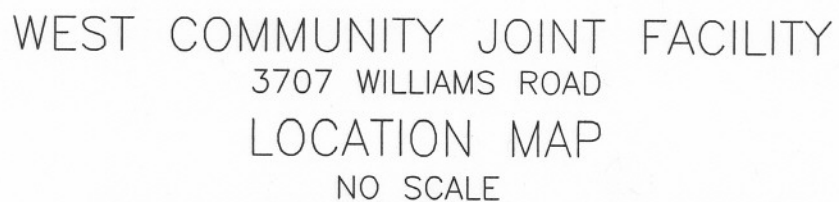
KATY ALLEN
Director, Public Works Department



SARA L. HENSLEY
Director, Parks, Recreation and
Neighborhood Services Department



ROBERT L. DAVIS
Chief of Police



WEST COMMUNITY JOINT FACILITY
3707 WILLIAMS ROAD
LOCATION MAP
NO SCALE